

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

**THIS PAGE BLANK (USPTO)**



## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<b>(51) International Patent Classification <sup>6</sup> :</b> <b>A01H 5/00, 5/10, C07H 21/04, C12N 5/04, 15/63, 15/82</b>	<b>A1</b>	<b>(11) International Publication Number:</b> <b>WO 99/04622</b> <b>(43) International Publication Date:</b> 4 February 1999 (04.02.99)
<b>(21) International Application Number:</b> PCT/US98/15137 <b>(22) International Filing Date:</b> 22 July 1998 (22.07.98)  <b>(30) Priority Data:</b> 60/053,819           25 July 1997 (25.07.97)           US 60/072,497           26 January 1998 (26.01.98)           US Not furnished       17 July 1998 (17.07.98)           US  <b>(71) Applicant:</b> UNIVERSITY OF NEVADA [US/US]; Mail Stop 200, Reno, NV 89557-0017 (US).  <b>(72) Inventors:</b> DELLAPENNA, Dean; 4135 Longknife Road, Reno, NV 89509 (US). SHINTANI, David, K.; 1000 Novelly Drive, Reno, NV 89503 (US).  <b>(74) Agent:</b> SEAY, Nicholas, J.; Quarles & Brady, P.O. Box 2113, Madison, WI 53701-2113 (US).		<b>(81) Designated States:</b> AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).  <b>Published</b> <i>With international search report.</i>
<b>(54) Title:</b> TRANSGENIC PLANTS WITH TOCOPHEROL METHYLTRANSFERASE  <b>(57) Abstract</b> <p>Disclosed are gene sequences encoding <math>\gamma</math>-tocopherol methyltransferases from photosynthetic organisms. The enzyme <math>\gamma</math>-tocopherol methyltransferase catalyzes the methylation of <math>\gamma</math>-tocopherol to yield <math>\alpha</math>-tocopherol, the most bioactive species of tocopherol. <math>\gamma</math>-Tocopherol methyltransferase is believed to be involved in regulating the relative amounts of the various tocopherols present in photosynthetic organisms. By introducing a genetic construct having a <math>\gamma</math>-tocopherol methyltransferase coding sequence placed under the control of a plant promoter into a plant, transgenic plants can be made having altered <math>\gamma</math>-tocopherol methyltransferase expression, to effect dramatic changes in the tocopherol profile of the plant. Transgenic plants can be made that have <math>\alpha</math>-tocopherol as the predominant tocopherol in their seeds and oils.</p>		

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece			TR	Turkey
BG	Bulgaria	HU	Hungary	ML	Mali	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MN	Mongolia	UA	Ukraine
BR	Brazil	IL	Israel	MR	Mauritania	UG	Uganda
BY	Belarus	IS	Iceland	MW	Malawi	US	United States of America
CA	Canada	IT	Italy	MX	Mexico	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NE	Niger	VN	Viet Nam
CG	Congo	KE	Kenya	NL	Netherlands	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NO	Norway	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	NZ	New Zealand		
CM	Cameroon			PL	Poland		
CN	China	KR	Republic of Korea	PT	Portugal		
CU	Cuba	KZ	Kazakhstan	RO	Romania		
CZ	Czech Republic	LC	Saint Lucia	RU	Russian Federation		
DE	Germany	LI	Liechtenstein	SD	Sudan		
DK	Denmark	LK	Sri Lanka	SE	Sweden		
EE	Estonia	LR	Liberia	SG	Singapore		

## TRANSGENIC PLANTS WITH TOCOPHEROL METHYLTRANSFERASE

## CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims priority to U.S. Provisional Application Serial No. 60/053,819 filed July 25, 1997 and U.S. Provisional Application Serial No. 60/072,497 filed January 26, 1998.

STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT  
Not applicable.

## BACKGROUND OF THE INVENTION

10 Vitamin E is an essential component of mammalian diets. Epidemiological evidence indicates that Vitamin E supplementation results in decreased risk for cardiovascular disease and cancer, aids in immune function, and generally prevents or slows a number of degenerative disease processes in  
15 humans (Traber and Sies, Annu. Rev. Nutr. 16:321-347, 1996). Vitamin E functions in stabilizing the lipid bilayer of biological membranes (Skrypin and Kagan, Biochim. Biophys. Acta 815:209 1995; Kagan, N.Y. Acad. Sci. p 121, 1989; Gomez-Fernandez et al., Ann. N.Y. Acad. Sci. p 109, 1989), reducing  
20 polyunsaturated fatty acid (PUFA) free radicals generated by lipid oxidation (Fukuzawa et al., Lipids 17: 511-513, 1982), and quenching singlet oxygen species (Fryer, Plant Cell Environ. 15(4):381-392, 1992).

Vitamin E, or  $\alpha$ -tocopherol, belongs to a class of lipid-soluble antioxidants that includes  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ -tocopherols and  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ -tocotrienols. Although  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ -tocopherols and  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ -tocotrienols are sometimes referred to collectively as "Vitamin E" in the popular press, Vitamin E is properly defined chemically solely as  $\alpha$ -  
30 tocopherol. Of the various tocopherols present in foodstuff,  $\alpha$ -tocopherol is the most significant for human health both

because it is the most bioactive of the tocopherols and also because it is the tocopherol most readily absorbed and retained by the body (Traber and Sies, Annu. Rev. Nutr. 16:321-347, 1996). The *in vivo* antioxidant activity of  $\alpha$ -tocopherol is  
5 higher than the antioxidant activities of  $\beta$ ,  $\gamma$ , and  $\delta$ -tocopherol (Kamal-Eldin and Appelqvist Lipids 31:671-701, 1996).

Only plants and certain other photosynthetic organisms, including cyanobacteria, synthesize tocopherols. Therefore,  
10 dietary tocopherols are obtained almost exclusively from plants. Plant tissues vary considerably in total tocopherol content and tocopherol composition. The predominant tocopherol in green, photosynthetic plant tissues often is  $\alpha$ -tocopherol. Leaf tissue can contain from 10-50  $\mu$ g total tocopherols/gram  
15 fresh weight.

Non-green plant tissues and organs exhibit a wider range of both total tocopherol levels and tocopherol compositions. In general, most of the major food staple crops (e.g., rice, corn, wheat, potato) produce low to extremely low levels of  
20 total tocopherols, of which only a small percentage is  $\alpha$ -tocopherol (Hess, Vitamin E,  $\alpha$ -tocopherol, *In Antioxidants in Higher Plants*, R. Alscher and J. Hess, Eds. 1993, CRC Press, Boca Raton. pp 111-134). Oil seed crops generally contain much higher levels of total tocopherols; however,  $\alpha$ -tocopherol is  
25 present only as a minor component and  $\beta$ ,  $\gamma$ , and  $\delta$ -tocopherols and tocotrienols predominate (Taylor and Barnes, Chem. Ind., Oct.:722-726, 1981).

Daily dietary intake of 15-30 mg of vitamin E is recommended to obtain optimal plasma  $\alpha$ -tocopherol levels. It  
30 is quite difficult to achieve this level of vitamin E intake from the average American diet. For example, one could obtain the recommended daily dose of Vitamin E by daily consumption of over 750 grams of spinach leaves (in which  $\alpha$ -tocopherol comprises 60% of total tocopherols) or 200-400 grams of soybean  
35 oil.

One alternative to relying on diet alone to obtain the recommended levels of vitamin E is to take a vitamin E

supplement. However, most vitamin E supplements are synthetic vitamin E having six stereoisomers, whereas natural vitamin E vitamin is a single isomer. Furthermore, supplements tend to be relatively expensive, and the general population is disinclined to take vitamin supplements on a regular basis.

Although tocopherol function in plants has been less extensively studied than tocopherol function in mammalian systems, it is likely that the analogous functions performed by tocopherols in animals also occur in plants. In general, plant tocopherol levels have been found to increase with increases in various stresses, especially oxidative stress. Increased  $\alpha$ -tocopherol levels in crops are associated with enhanced stability and extended shelf life of fresh and processed plant products (Peterson, Cereal-Chem 72(1):21-24, 1995; Ball, Fat-soluble vitamin assays in food analysis. A comprehensive review. London: Elsevier Science Publishers LTD, 1988).

Vitamin E supplementation of swine, beef, and poultry feeds has been shown to significantly increase meat quality and extend the shelf life of post-processed meat products by retarding post-processing lipid oxidation, which contributes to the formation of undesirable flavor components (Ball, *supra* 1988; Sante and Lacourt, J. Sci. Food Agric. 65(4):503-507, 1994; Buckley et al., J. of Animal Science 73:3122-3130, 1995).

What would be useful for the art is a method to increase the ratio of  $\alpha$ -tocopherol to  $\gamma$ -tocopherol in seeds, oils, and leaves from crop and forage plants, or a method for producing natural vitamin E in nonphotosynthetic bacteria or fungi using a large scale fermentation process. Increasing  $\alpha$ -tocopherol levels in crop plants would increase the amount of  $\alpha$ -tocopherol obtained in the human diet, and would enhance the stability and shelf life of plants and plant products. The meat industry would benefit from the development of forage plants having increased levels of vitamin E.

#### BRIEF SUMMARY OF THE INVENTION

The present invention is based on an isolated DNA fragment including a coding sequence for a  $\gamma$ -tocopherol

methyltransferase.

The invention is also a heterologous genetic construct comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a plant, bacterial, or fungal promoter not natively associated with the  $\gamma$ -tocopherol methyltransferase coding sequence.

Another aspect of the present invention is a method of altering the tocopherol profile of a plant comprising the steps of: (a) providing a heterologous genetic construct comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a plant promoter not natively associated with the coding sequence; and (b) introducing the construct into the genome of a plant.

The present invention is also directed toward transgenic plants which have an altered ratio of  $\alpha$ -tocopherol to  $\gamma$ -tocopherol, thus increasing the nutritive value of the plants and products therefrom for human and animals.

In another embodiment, the invention is a plant comprising in its genome a heterologous genetic construct comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a promoter that is functional in plants.

It is an object of the present invention to provide a genetic construct comprising a coding sequence for a  $\gamma$ -tocopherol methyltransferase operably connected to a plant promoter not natively associated with the coding sequence which when expressed in a plant comprising the construct in its genome results in an alteration in the ratio of  $\alpha$ -tocopherol: $\gamma$ -tocopherol in the plant, relative to an untransformed wild-type plant.

It is an object of this invention to provide a plant having an altered  $\alpha$ -tocopherol: $\gamma$ -tocopherol ratio.

Other objects, features, and advantages of the invention will become apparent upon review of the specification and claims.



## BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWINGS

Figure 1 shows the alignment of amino acid sequences of  $\gamma$ -tocopherol methyl-transferases from *Arabidopsis thaliana* and *Synechocystis*. Inverted triangles denote putative cleavage sites of N-terminal targeting domains; the closed circle denotes the position of an in-frame NcoI site in the leader peptide of SLR0089.

## DETAILED DESCRIPTION OF THE INVENTION

The present invention is, in part, directed to a plant comprising in its genome a genetic construct comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a plant promoter not natively associated with the coding sequence. Such transgenic plants exhibit an altered ratio relative to the wild type plants of the same species. In fact, seed and seed oil of a plant not normally containing  $\alpha$ -tocopherol can be altered so that the most abundant tocopherol is  $\alpha$ -tocopherol. Alternatively, the relative percentage of  $\gamma$ -tocopherol present in plant tissue may be increased by reducing the activity of  $\gamma$ -tocopherol methyltransferase in the plant, which could be accomplished by expression of a  $\gamma$ -tocopherol methyltransferase coding sequence in the antisense orientation. The development of plants with increased  $\gamma$ -tocopherol may be useful in certain industries.

Tocopherols and plastoquinones, the most abundant quinones in plant plastids, are synthesized by a common pathway (Hess, Antioxidants in Higher Plants, CRC Press: Boca Raton p 140-152, 1993; Soll, Plant Cell Membranes, Academic Press: San Diego p 383-392, 1987). The synthesis of tocopherols involves four steps catalyzed by at least six enzymatic activities. A branchpoint in the common pathway occurs upon phytylation or prenylation of the precursor homogentisic acid to form either 2-methyl-6-phytylplastoquinol or 2-methyl-6-solanylplastoquinol, intermediates in tocopherol and plastoquinone biosynthesis, respectively.

The intermediate 2-methyl-6-phytylplastoquinol is the common precursor to the biosynthesis of all tocopherols. In

spinach leaves, the intermediate undergoes ring methylation to yield 2,3-dimethyl-6-phytylplastoquinol, which is cyclized to form  $\gamma$ -tocopherol. A second ring methylation at position 5 yields  $\alpha$ -tocopherol (Soll and Schultz, Phytochemistry 19(2):215-218, 1980). The second ring methylation is catalyzed by  $\gamma$ -tocopherol methyltransferase, a distinct enzymatic activity from the methyltransferase that catalyzes the methylation at position 7, and the only enzyme of the pathway that has been purified from plants (d'Harlingue and Camara, J. Biol. Chem. 260(68): 15200-15203, 1985; Ishiko et al., Phytochemistry 31(5):1499-1500, 1992).

The methylation enzymes are involved in regulating the final composition of the tocopherol pool. Data obtained in studies of sunflower mutants suggest that the enzymes involved in methylation have a high degree of influence over relative tocopherol amounts but do not affect the overall regulation of total tocopherol content (Demurin, Helia 16:59-62, 1993). Normally, seed tocopherol composition in cultivated sunflower (*Helianthus annuus* L.) is primarily  $\alpha$ -tocopherol (i.e., 95-100% of the total tocopherol pool) (Skoric et al., Proceedings of the 14th International Sunflower Conference. 1996. Beijing/Shenyang, China). However, two mutant sunflower lines were identified with tocopherol compositions of 95%  $\gamma$ -tocopherol/5%  $\alpha$ -tocopherol and 50%  $\beta$ -tocopherol/50%  $\alpha$ -tocopherol. Although these presumed tocopherol methylation mutants were found to have dramatically different tocopherol profiles in seed, total tocopherol levels were not significantly different than those of wild type sunflower (Demurin, *supra* 1993). Based on these results, we hypothesized that it should be possible to alter the tocopherol profile of many plant species by manipulating  $\gamma$ -tocopherol methyltransferase expression without affecting the total tocopherol pool size.

The enzyme  $\gamma$ -tocopherol methyltransferase catalyzes the methylation of  $\gamma$ -tocopherol to form  $\alpha$ -tocopherol, the final step in  $\alpha$ -tocopherol biosynthesis. Overexpression of a  $\gamma$ -tocopherol methyltransferase gene in a plant enhanced the

conversion of  $\gamma$ -tocopherol to  $\alpha$ -tocopherol in any tissue containing  $\gamma$ -tocopherol, thereby increasing the  $\alpha$ -tocopherol: $\gamma$ -tocopherol ratio. In fact, seed and oil in which little or no  $\alpha$ -tocopherol is found can be altered to contain predominantly  $\alpha$ -tocopherol. Conversely, expression of the antisense RNA would be expected to reduce expression of the  $\gamma$ -tocopherol methyltransferase, causing a decrease in the  $\alpha$ -tocopherol: $\gamma$ -tocopherol ratio. Plants having increased  $\gamma$ -tocopherol may be useful for certain industries.

We have discovered that  $\gamma$ -tocopherol methyltransferase also catalyzes the conversion of  $\delta$ -tocopherol to  $\beta$ -tocopherol. Overexpression of  $\gamma$ -tocopherol methyltransferase in plant tissue results in increased conversion of  $\delta$ -tocopherol to  $\beta$ -tocopherol. It is expected that expression of  $\gamma$ -tocopherol methyltransferase antisense RNA would result in reduced conversion of  $\delta$ -tocopherol to  $\beta$ -tocopherol.

As demonstrated in the examples below, the seed of *Arabidopsis* plants transformed with a genetic construct comprising an *Arabidopsis*  $\gamma$ -tocopherol methyltransferase gene under the control of either the seed specific promoter or the constitutive cauliflower mosaic virus 35S promoter exhibit a dramatic increase in the ratio of  $\alpha$ -tocopherol: $\gamma$ -tocopherol. No  $\alpha$ -tocopherol is detected in the seed of untransformed *Arabidopsis*, whereas seed from *Arabidopsis* transformed with the  $\gamma$ -tocopherol methyltransferase gene under the control of the seed-specific promoter contained about 90%  $\alpha$ -tocopherol. Seed from *Arabidopsis* transformed with the  $\gamma$ -tocopherol methyltransferase gene under the control of a constitutive promoter contained slightly less  $\alpha$ -tocopherol (84%). This observation demonstrates that for plants natively having a tocopherol profile in which  $\alpha$ -tocopherol is not predominant (i.e. is less than 50% of total tocopherol), that  $\alpha$ -tocopherol can be made to be the predominant tocopherol form in seed or seed oil from a transgenic plant.

Methylation of  $\gamma$ -tocopherol to form  $\alpha$ -tocopherol is the means by which the ratio of the di-methylated tocopherols ( $\gamma$ -tocopherol) and tri-methylated tocopherol ( $\alpha$ -tocopherol) is

regulated. By up regulating  $\gamma$ -tocopherol methyltransferase expression in tissues in which it is not normally expressed in a plant, it is now possible to increase  $\alpha$ -tocopherol levels in tissues of many agricultural crops in which  $\gamma$ -tocopherol is a major tocopherol (e.g., maize, soybean, rapeseed, cotton, peanut, safflower, castor bean, rice). Many common edible seed oils have large amounts of  $\gamma$ -tocopherol. Increasing the level of expression of  $\gamma$ -tocopherol methyltransferase in seed oil plants should increase the ratio of  $\alpha$ -tocopherol: $\gamma$ -tocopherol.

Isolation and functional analysis of the  $\gamma$ -tocopherol methyltransferase genes from *Synechocystis* PCC6803 and *Arabidopsis thaliana* was accomplished by concurrently pursuing the complementary molecular genetic approaches described in detail in the examples. These two model organisms were selected because both synthesize tocopherols by similar or identical pathways and both are highly tractable genetic, molecular, and biochemical systems.

The DNA sequences of the  $\gamma$ -tocopherol methyltransferase genes from *Synechocystis* PCC6803 and *Arabidopsis thaliana* are shown in SEQ ID NO:1 and SEQ ID NO:3, respectively. The corresponding deduced amino acid sequences of the proteins are shown in SEQ ID NO: 2 and SEQ ID NO:4.

It is expected that the present invention may be practiced using a  $\gamma$ -tocopherol methyltransferase gene from any photosynthetic organism. It is well within the ability of one of skill in the art to isolate a plant  $\gamma$ -tocopherol methyltransferase gene using the sequences disclosed herein. The usefulness of these sequences to identify other  $\gamma$ -tocopherol methyltransferase coding sequences is demonstrated by the fact that it was the *Synechocystis* sequence that was used to identify the *Arabidopsis* sequence. The two sequences can be used to screen public computer databases of plant cDNAs (dbest databases) and genomic sequences. Alternatively, the sequences could be used to design probes for use in identifying genomic or cDNA clones containing a  $\gamma$ -tocopherol methyltransferase sequence. Another approach would be to use the sequences to design oligonucleotide primers for use in PCR

amplification of  $\gamma$ -tocopherol methyltransferase genes from plant DNA.

To determine whether one has identified a  $\gamma$ -tocopherol methyltransferase sequence, one could perform a gene replacement study using wild type *Synechocystis*, a complementation study using a *Synechocystis*  $\gamma$ -TMT knockout mutant, or an *in vitro* enzyme assay using a suitable substrate and  $\gamma$ -tocopherol methyltransferase protein expressed in *E. coli* or another suitable expression system. A genetic construct comprising the  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a plant promoter can be constructed and used to transform *Arabidopsis* or a plant or crop plant of interest. A transgenic plant comprising the construct in its genome would be expected to have altered expression of  $\gamma$ -tocopherol methyltransferase and an altered tocopherol profile relative to an untransformed, wild-type plant.

It is expected that polyploid plants having more than one copy of the  $\gamma$ -tocopherol methyltransferase gene may have allelic variations among  $\gamma$ -tocopherol methyltransferase gene sequences. It is anticipated that putative  $\gamma$ -tocopherol methyltransferase gene sequences having less than 100% homology to SEQ ID NO:1 or SEQ ID NO:3 encode proteins having  $\gamma$ -tocopherol methyltransferase activity.

It is envisioned that minor sequence variations from SEQ NO:1 or SEQ ID NO:3 associated with nucleotide additions, deletions, and mutations, whether naturally occurring or introduced *in vitro*, will not affect  $\gamma$ -tocopherol methyltransferase activity. The scope of the present invention is intended to encompass minor variations in  $\gamma$ -tocopherol methyltransferase sequences. Also, it is now well within the level of ordinary skill in the art of plant genetic engineering to alter the coding sequence for a gene by changing codons specifying for common amino acids or by making conservative amino acid substitutions at DNA sequences encoding non-critical portions of enzymes.

Construction of an expression vector comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected

to a plant promoter not natively associated with the coding sequence will be achieved using standard molecular biology techniques known to the art. The plant promoter may be a tissue-specific promoter such as a seed-specific promoter (e.g., napin or DC3), a constitutive promoter such as CaMV 35S, a developmental stage-specific promoter, or an inducible promoter. Promoters may also contain certain enhancer sequence elements that improve efficiency of transcription. Optionally, the construct may contain a termination signal, such as the nopaline synthase terminator (NOS). Preferably, the constructs will include a selectable or screenable marker to facilitate identification of transformants. The constructs may have the coding region in the sense or antisense orientation.

Once a genetic construct comprising a  $\gamma$ -tocopherol methyltransferase gene has been obtained, it can readily be introduced into a plant or plant tissue using standard methods known to the art. For example, the *Agrobacterium* transformation system is known to work well with all dicot plants and some monocots. Other methods of transformation equally useful in dicots and monocots may also be used. Transgenic plants may be obtained by particle bombardment, electroporation, or by any other method of transformation known to one skilled in the art of plant molecular biology. The experience to date in the technology of plant genetic engineering has taught that the method of gene introduction does not affect the phenotype achieved in the transgenic plants.

A transgenic plant may be obtained directly by transformation of a plant cell in culture, followed by regeneration of a plant. More practically, transgenic plants may be obtained from transgenic seeds set by parental transgenic plants. Transgenic plants pass on inserted genes, sometimes referred to as transgenes, to their progeny by normal Mendelian inheritance just as they do their native genes. Methods for breeding and regenerating plants of agronomic interest are known to the art. Experience with transgenic plants has also demonstrated that the inserted gene, or

transgene, can be readily transferred by conventional plant breeding techniques into any desired genetic background.

It is reasonable to expect that the expression of heterologous  $\gamma$ -tocopherol methyltransferase in a transgenic plant will result in alterations in the tocopherol profile in that plant. In addition to the inherent advantage of increasing the  $\alpha$ -tocopherol: $\gamma$ -tocopherol ratio, changes in the tocopherol profile may result in unique, advantageous phenotypes. This invention is intended to encompass other advantageous phenotypes that may result from alterations in tocopherol biosynthesis in plants obtained by the practice of this invention.

Using the information disclosed in this application and standard methods known to the art, one of skill in the art could practice this invention using any crop plant or forage plant of interest.

The following nonlimiting examples are intended to be purely illustrative.

#### EXAMPLES

20 **Example 1. Identification and Characterization of a Putative  $\gamma$ -TMT Gene in *Synechocystis* PCC6803**

We recently cloned and characterized the  $\gamma$ -tocopherol methyltransferase gene from *Synechocystis* as follows. An *Arabidopsis* p-hydroxyphenyl-pyruvic acid dehydrogenase (HPPDase) cDNA sequence (Norris and Della Penna, submitted, Genbank Accession # AF000228, Plant Physiol., in press) was used to search a database containing the DNA sequence of the *Synechocystis* PCC6803 genome (Kaneko et al., DNA Res. 3:109-136, 1996). We identified an open reading (designated SLR0090) that shares a high degree of amino acid sequence similarity (i.e. 35% identity and 61% similarity) with the *Arabidopsis* HPPDase enzyme. The putative *Synechocystis* HPPDase gene is located within an operon in the *Synechocystis* genome comprised of 10 open reading frames (ORFs) encompassing bases 2,893,184 to 2,905,235 of the published *Synechocystis* PCC6803 genome (Kaneko et al., *supra* 1996). We hypothesized that this operon

might also contain additional genes that encode other enzymes involved in tocopherol synthesis.

Two ORFs (SLR0089 and SLR0095) were identified as possible candidates for *Synechocystis* tocopherol methyltransferase genes. BLAST searches with ORFs SLR0089 and SLR0095 showed that these proteins share a high degree of similarity to the known protein sequences of  $\Delta$ -(24)-sterol-C-methyltransferases and various plant caffeol CoA-O-methyltransferases, respectively. Both SLR0089 and SLR0095 proteins contain consensus sequences corresponding to conserved S-adenosyl-methionine (SAM) binding domains (Kagan and Clarke, Archives of Biochem. and Biophys. 310(2):417-427, 1996). The SLR0089 protein contains other structural features that are consistent with features found in a tocopherol methyltransferase. These features were not found in SLR0095. First, PSORT (Prediction of Protein Localization Sites) computer analysis of the two protein sequences predict that SLR0089 is localized to the plasma membrane, whereas and SLR0095 is localized to the cytosol. Tocopherol biosynthesis in cyanobacteria is believed to occur in the plasma membrane; therefore, localization of SLR0089 protein to the plasma membrane suggests that it may be a tocopherol methyltransferase. Additionally, PSORT analysis identified the presence of a putative bacterial signal sequence in the first 25 amino acids of the SLR0089 protein. The predicted molecular weight of the mature SLR0089 protein (after truncation of the signal sequence) is 32,766 daltons, which is very close to the reported molecular weight (33,000 daltons) of purified from pepper fruits (d'Harlingue and Camara, *supra* 1985). The predicted molecular weight of SLR0095 is 24,322 daltons. Therefore, we concluded that of the two identified ORFs, the SLR0089 gene was more likely to be a tocopherol methyltransferase.

**Example 2.**     Amplification and cloning of the *Synechocystis*  $\gamma$ -TMT gene

*Synechocystis* genomic DNA was isolated by the method of Williams (Methods Enzymol. 167:776-778, 1987). The SLR0089



gene was amplified from *Synechocystis* genomic DNA by polymerase chain reaction (PCR) using a sense strand specific primer (SLR0089F, SEQ ID NO:5) and a non-sense strand specific primer SLR0089R (SEQ ID NO:6) under the following conditions:

5        The amplification of the SLR0089 open reading frame was conducted in a 50 $\mu$ l reaction volume containing 0.4 mM dATP, 0.4 mM dGTP, 0.4 mM dCTP, 0.4 mM dCTP, 0.4 mM dTTP, 0.2  $\mu$ M SLR0089F primer, 0.2  $\mu$ M SLR0089R primer, 10 ng *Synechocystis* PCC6803 genomic DNA, 20 mM Tris-HCl (pH 8.4), 50 mM KCl, 2 mM MgCl<sub>2</sub>,  
10       and 2.5 units *Taq* polymerase (Gibco-BRL). PCR thermocycle conditions were performed as follows:

5 minutes 95°C (1 cycle)

1 minute 95°C -> 1 minute 55°C -> 1.5 minutes 72°C (35 cycles)

7 minutes 72°C (1 cycle)

15        The PCR product comprising the SLR0089 ORF was cloned using standard molecular biological techniques known to one of skill in the art. Briefly, the amplified SLR0089 ORF was purified and made blunt ended by treatment with the Klenow fragment. The SLR0089 gene was ligated to *EcoRV*-linearized  
20       pBluescript KS II (Stratagene, Inc., LaJolla, CA). The ligation mixture was used to transform competent *E. coli* DH5 $\alpha$  cells, and putative transformants were selected on the basis of ampicillin resistance. A plasmid designated pH-1 that was  
25       isolated from a transformant was found to contain the SLR0089 insert. The identity of the SLR0089 gene (SEQ ID NO:1) was confirmed by sequencing using T7 and T3 sequencing primers.

### Example 3.       Development of a SLR0089 knockout mutant

30        A gene replacement vector was constructed using standard molecular biology techniques. The plasmid pH1, which contains a unique *NcoI* site in the SLR0089 ORF, was digested with *NcoI* restriction endonuclease. The aminoglycoside 3'-phospho-transferase gene from Tn903 was ligated to the *NcoI* site of pH1 and the ligation mixture was used to transform *E. coli* DH5 $\alpha$  cells. Transformants were selected using kanamycin and

ampicillin. A recombinant plasmid (pQ-1) containing the disrupted SLR0089 ORF was isolated and used to transform *Synechocystis* PCC6803 according to the method of Williams (Methods Enzymol. 167:776-778, 1987).

5           *Synechocystis* transformants were selected for on BG-11 medium (Castenholz, Methods in Enzymology p 68-93, 1988) containing 15 mM glucose and 15  $\mu$ g/ml kanamycin. All cultures were grown under continuous light at 26°C. Four independent  
10 transformants were carried through five subculturings of single colonies to fresh medium. PCR and genomic analysis were used to confirm that the gene replacement was successful and complete.

**Example 4.       Tocopherol profiles of wild type and mutant *Synechocystis***

15           Approximately 200 mg of cells were scraped from 2 week old *Synechocystis* cultures grown on BG-11 agar medium. The cells were homogenized in 6 ml of 2:1 (volume:volume) methanol:CHCl<sub>3</sub> containing 1 mg/ml butylated hydroxytolulene (BHT) using a polytron homogenizer. Following homogenization, 2 ml of CHCl<sub>3</sub>,  
20 and 3.4 ml of double-distilled water was added to the homogenate. The lower lipid phase was removed and dried under nitrogen gas. The dried lipids were resuspended in 200 $\mu$ l of HPLC grade ethyl acetate containing 1 mg/ml BHT.

          Tocopherols were analyzed by reverse phase HPLC using a  
25 Hewlett-Packard Series 1100 HPLC system with a fluorescence detector. Crude lipid extracts were fractionated on a Water Spherisorb S5 ODS2 4.6 X 250 mm column in a mobile phase consisting of 75% methanol and 25% isopropanol and a flow rate of 1 ml/min. The fluorescence was measured at 330 nm after  
30 excitation at a wavelength of 290 nm.

          Wild-type *Synechocystis* produces  $\alpha$ -tocopherol as its most abundant tocopherol (>95% of total tocopherols). The SLR0089 disrupted mutant of *Synechocystis* is no longer able to  
35 synthesize  $\alpha$ -tocopherol and instead accumulates  $\gamma$ -tocopherol as its sole tocopherol. The elimination of  $\alpha$ -tocopherol production and concomitant accumulation of  $\gamma$ -tocopherol

conclusively demonstrates that SLR0089 encodes  $\gamma$ -tocopherol methyltransferase, the final step in  $\alpha$ -tocopherol biosynthesis.

**Example 5.     Identification of a Putative Arabidopsis  $\gamma$ -TMT cDNA from the EST Database**

5           The *Arabidopsis* EST database (Ausbel et al., Current Protocols in Molecular Biology, Greene Publishing and Wiley-Interscience, N.Y., 1987) was searched using the *Synechocystis*  $\gamma$ -TMT DNA and protein sequences as queries. Two cDNA clones that share significant homology with the *Synechocystis* sequence  
10           were identified: the *Arabidopsis*  $\Delta$ -(24)-sterol-C-methyltransferase and the *Arabidopsis* expressed sequence tag (EST) clone 165H5T7. Because the  $\Delta$ -(24)-sterol-C-methyltransferase was functionally identified by its ability to complement a yeast  $\Delta$ -(24)-sterol-C-methyltransferase mutant  
15           (*erg6*), we are confident that the clone does not encode a  $\gamma$ -TMT (Husselstein et al., FEBS Letters 381:87-92, 1996). Therefore, we decided to focus our efforts on the *Arabidopsis* 165H5T7 EST clone (Genbank Accession #R30539). The DNA sequence of the  
20           165H5T7 EST clone was determined (SEQ ID NO:3) and the amino acid sequence of the putative protein was deduced. The sequence was aligned with that of the *Synechocystis*  $\gamma$ -TMT (Fig 1). The full-length 165HT7 clone encodes a protein that is 35% identical and 66% similar to the *Synechocystis*  $\gamma$ -TMT and exhibits large blocks of identity. When 165H5T7 was used as  
25           query against the non-repetitive protein database, it was found to have the highest homology to SLR0089 ( $P < 10^{-54}$ ) and only moderate homology to the four known plant  $\Delta$ -(24)-sterol-C-methyltransferases ( $P \geq 10^{-5}$ ). 165H5T7 also contains conserved SAM binding motifs common to a large number of  
30           methyltransferases (Fig. 1) but lacks proposed sterol binding domains common in the four plant  $\Delta$ -(24)-sterol-C-methyltransferases identified to date (Husselstein et al., *supra* 1990). These data suggest that clone 165H5T7 encodes an  
35           *Arabidopsis*  $\gamma$ -TMT homologue, which we have designated A.t. $\gamma$ -TMT.

**Example 6.**      Characterization of the putative *Arabidopsis*  $\gamma$ -TMT homologue using the gene replacement in *Synechocystis*

Plant cDNAs encoding putative  $\gamma$ -TMT homologues may be functionally identified using one of two gene replacement approaches in *Synechocystis*. One approach that may be employed is to replace the endogenous *Synechocystis*  $\gamma$ -TMT gene in wild type *Synechocystis* with the putative *Arabidopsis*  $\gamma$ -TMT cDNA 165H7T7. A *Synechocystis*  $\gamma$ -TMT(coding sequence # SLR0089) gene replacement vector will be constructed to include the following features, in 5' to 3' order: 1) at least 300 base pairs of DNA sequence corresponding to the *Synechocystis* genomic sequence found immediately upstream (5') of the native SLR0089 gene; 2) the first 77 base pairs of the SLR0089 ORF corresponding to the identified bacterial signal sequence that ends with a unique, in-frame NcoI site; 3) a polylinker or multiple cloning site; 4) an antibiotic resistance marker (e.g., a kanamycin resistance gene cassette); and 5) at least 300 base pairs of DNA sequence corresponding to the *Synechocystis* genomic sequence found immediately downstream (3') of the native SLR0089 gene. The putative plant  $\gamma$ -TMT cDNA to be tested for complementation will be inserted into the NcoI site or into the multiple cloning site.

The 165H5T7 cDNA may be engineered to contain an NcoI site at the transit peptide cleavage site predicted by PSORT using PCR mutagenesis, which would change the amino acid Val-48 to Met. The cDNA will be ligated to the unique NcoI site in the SLR0089 gene replacement plasmid to create an in-frame, amino-terminal fusion between the *Synechocystis*  $\gamma$ -TMT signal peptide and the plant protein sequence. The construct will be used to transform wild type *Synechocystis*; transformants will be identified by kanamycin selection. After several single colony passages under selection, gene replacement will be confirmed by PCR. The tocopherol profile of transformants will be determined by HPLC. *Synechocystis* transformants functionally expressing *Arabidopsis*  $\gamma$ -TMT genes will be identified by their ability to synthesize  $\alpha$ -tocopherol in the absence of a

functional *Synechocystis*  $\gamma$ -TMT gene.

In an alternative approach, the putative  $\gamma$ -TMT gene may be characterized according to its ability to complement the *Synechocystis*  $\gamma$ -TMT knockout mutant. The replacement vector  
5 could be constructed to include the intact putative  $\gamma$ -TMT gene and an antibiotic resistance marker other than kanamycin. Following transformation and selection, gene replacement can be confirmed by PCR and the transformants may be further characterized by tocopherol analysis.

10 **Example 7.**     Functional characterization of *Arabidopsis* and *Synechocystis*  $\gamma$ -TMT genes by expression in *E. coli*

The proteins encoded by the *Synechocystis* SLR0089 gene and the *Arabidopsis* 165h5T7 cDNA clone were identified as  $\gamma$ -TMTs  
15 through functional expression in *E. coli*.

The SLR0089 gene was amplified from the *Synechocystis* PCC6803 genome using polymerase chain reaction (PCR). The forward primer (SLR0089coliF, SEQ ID NO:7), was designed to add a *Bsp*HI site to the 5' end of the primer. The reverse (3') PCR  
20 primer (SLR0089coliR, SEQ ID NO:8) was designed with a *Bgl*II site engineered at the 5' end of the primer.

The PCR reaction was conducted in two 100- $\mu$ l reaction mixtures, each of which contained dNTPs (0.4 mM each), 2  $\mu$ M SLR0089coliF, 2  $\mu$ M SLR0089coliR, 10 ng *Synechocystis* PCC6803  
25 genomic DNA, 10 mM KCl, 6.0 mM (NH<sub>4</sub>)<sub>2</sub>SO<sub>4</sub>, 20 mM Tris-HCl (pH 8.2), 2 mM MgCl<sub>2</sub>, 0.1% Triton X-100, 10  $\mu$ g/ml BSA, 2.5 units Pfu polymerase (Stratagene, LaJolla, CA). The following thermocycle conditions were used:

5 minutes 95°C (1 cycle)  
30 0.75 minutes 94°C -> 0.75 minutes 55°C -> 2 minutes 72°C (30 cycles)  
10 minutes 72°C (1 cycle)

The PCR fragment was gel-purified and ligated to *EcoRV*-linearized pBluescript KS II (Stratagene, LaJolla, CA). The ligation product was used to transform *E. coli* strain DH5 $\alpha$ , and putative transformants were selected on the basis of ampicillin resistance. A recombinant plasmid containing the insert (designated p082297) was sequenced to confirm the correct amplification and subcloning of the SLR0089 sequence.

The deduced amino acid sequence of SLR0089 contains a putative amino-terminal bacterial signal sequence comprising the first 24 amino acids of the deduced amino acid sequence. Because this amino-terminal signal sequence could effect the conformation of the SLR0089 protein when expressed in *E. coli* and render the protein inactive, we modified the SLR0089 DNA sequence such that it encodes a truncated protein devoid of the putative amino-terminal bacterial signal sequence. The SLR0089 gene contains a *NcoI* recognition sequence at the predicted cleavage site for the putative bacterial signal sequence. A *NcoI*-*BglIII* fragment containing a truncated SLR0089 DNA sequence from p082297-*coli* was subcloned in the correct reading frame into the *NcoI* and *BamHI* sites of the T7 *E. coli* pET3D expression vector (Novagen, Madison, WI). The ligation mixture was used to transform *E. coli* BL21 (DE3) and transformants were selected for on the basis of ampicillin resistance. A plasmid (designated p011698-1) containing the insert was identified by restriction digest analysis with the enzyme *HindIII*.

The 165H5T7 cDNA clone was also subcloned into the pET3D expression vector. The first 50 N-terminal amino acids of the deduced amino acid sequence of 165H5T7 contains a putative amino-terminal chloroplast targeting sequence that could effect the conformation of the 165H5T7 protein when expressed in *E. coli* and render the protein inactive. Therefore, we modified the 165H5T7 DNA sequence to encode a truncated protein devoid of the putative amino-terminal chloroplast targeting sequence. The truncated 165H5T7 DNA sequence was obtained by PCR amplification of 165H5T7 cDNA using primers designed to amplify the sequence corresponding to the region between nucleotide 353 and nucleotide 1790 of the original 165H5T7 sequence. The

forward PCR primer (165matF, SEQ ID NO:9) adds a NcoI site to the 5' end of the truncated 165H5T7 sequence to facilitate cloning into the pET3D vector. The reverse (3') PCR primer (165matR, SEQ ID NO:10) was designed from the polylinker region of the pSPORT1 vector with a AccI site engineered at the 5' end of the primer. The PCR reaction was conducted with the 165matF and 165matR primers (2 $\mu$ M each) using the same PCR conditions described for the amplification of the truncated *Synechocystis* gene, above.

Following gel purification, the PCR fragment was ligated to EcoRV-linearized pBluescript KS II, the ligation product was used to transform *E. coli* strain DH5 $\alpha$ , and ampicillin-resistant putative transformants were selected. A recombinant plasmid (designated p010498-2) containing the insert was identified. The DNA sequence of p010498-2 was determined to confirm the correct amplification and subcloning of the truncated 165H5T7 sequence. The truncated 165H5T7 DNA sequence was subcloned as a NcoI-BamHI fragment pET3D vector digested with NcoI and BamHI. The ligation product was used to transform *E. coli* DH5 $\alpha$  and transformants were selected for on the basis of ampicillin resistance. A plasmid (designated p011898-1) containing the insert was identified by restriction digest analysis with the enzyme HindIII.

The p011698-1 and p011898-1 constructs were used to transform the *E. coli* T7 expression host BL21(DE3). To generate protein for  $\gamma$ -TMT assays, one liter cultures of transformed host cells containing one of the constructs were grown in Luria broth containing 100 mg/liter ampicillin. Each culture was started at an optical density at 600 nm (OD<sub>600</sub>) of 0.1 and incubated in a shaking incubator at 28°C until the culture reached an OD<sub>600</sub> of 0.6, at which time isopropyl- $\beta$ -D-thiogalactopyranoside (IPTG) was added to each culture to obtain a final concentration of 0.4 mM IPTG. Each culture was incubated for an additional 3 hours at 28°C and the cells were harvested by centrifugation at 8,000 g. The cell pellets were then resuspended in 10 ml of 10 mM HEPES (pH 7.8), 5 mM DTT, 0.24 M sorbitol, 1 mM PMSF. The cells were lysed by sonication

with a micro-tip sonicator using four 10-second pulses. Triton X 100 was added to each homogenate to a final concentration of 1%. The homogenates were incubated on ice for 30 minutes, and subjected to centrifugation at 30,000 g for 30 minutes at 4°C.

5 The supernatants of these extracts were assayed for  $\gamma$ -tocopherol methyltransferase activity as follows.

The  $\gamma$ -TMT assays were performed in 250  $\mu$ l volumes containing 50 mM Tris (pH 7.5 for the *Synechocystis* and pH 8.5 for the *Arabidopsis* enzyme), 5 mM DTT, 5 mM  $\gamma$ - or  $\delta$ -tocopherol, and 0.025  $\mu$ Ci (55  $\mu$ Ci/mmol) ( $^{14}$ C-methyl)-S-adenosylmethionine. Reaction mixtures were incubated at room temperature for 30 minutes. The reactions were stopped by adding of 1 ml of 2:1 (v:v)  $\text{CHCl}_3$ :methanol containing 1 mg/ml butylated hydroxytoluene (BHT) and 250  $\mu$ l of 0.9% NaCl in water, and vortexing. The samples were centrifuged to separate the phases. The  $\text{CHCl}_3$  (lower) phase was transferred to a fresh tube containing 100 mg of  $\alpha$ -tocopherol and the  $\text{CHCl}_3$  was then removed under vacuum in a speed-vac. The dried lipid fraction was resuspended in 50  $\mu$ l ethyl acetate containing 1 mg/ml BHT. The lipid extracts were fractionated on silica 60 TLC plates in dichloromethane. Tocopherols were then identified by co-migration with authentic tocopherol standards after staining the plate with Emmerie-Engels solution (0.1%  $\text{FeCl}_3$ , 0.25% 2,2'-dipyridyl in ethanol). The band corresponding to  $\alpha$ -tocopherol was scraped from the TLC plate and the amount of radioactive material present was determined by scintillation counting. These experiments showed that the proteins encoded by the *Synechocystis* SLR0089 and *Arabidopsis* 165H5T7 DNA sequences were able to convert  $\gamma$ -tocopherol to  $\alpha$ -tocopherol.

30 The *Synechocystis* and *Arabidopsis*  $\gamma$ -tocopherol methyltransferases were tested for activity using several different methyl-substituted tocopherol substrates. Both enzymes were able to specifically convert  $\delta$ -tocopherol to  $\beta$ -tocopherol. The two enzymes were unable to use tocol, 5,7-dimethyltol,  $\beta$ -tocopherol, and  $\gamma$ -tocotrienol as substrates. These results indicate that both the *Synechocystis* and *Arabidopsis*  $\gamma$ -tocopherol methyltransferases catalyze the



methylation of carbon 5 of the tocopherol chromanol ring. The *Synechocystis* and *Arabidopsis*  $\gamma$ -TMTs appear to require substrates with a methyl-group present on the 8 position of the chromanol ring and a fully saturated prenyl-tail for activity. Our results indicate that *Arabidopsis*  $\gamma$ -TMT exhibits greater activity with  $\gamma$ -tocopherol as the substrate than with the  $\delta$ -tocopherol substrate, whereas the *Synechocystis*  $\gamma$ -TMT appears to be equally active toward  $\gamma$ -tocopherol and  $\delta$ -tocopherol.

10 **Example 8.**      Qualitative manipulation of tocopherols in  
*Arabidopsis* and other plants by over expressing  
the *Arabidopsis*  $\gamma$ -tocopherol methyltransferase.

The results from HPLC analysis of lipid extracts made from *Arabidopsis* leaves and seeds indicate that these tissues have relatively simple tocopherol profiles. In *Arabidopsis* leaves,  $\alpha$ -tocopherol is present at ~90% of the total tocopherol content, with  $\gamma$ -tocopherol comprising the remainder of the tocopherol content. In *Arabidopsis* seeds,  $\gamma$ -tocopherol is present at ~95% of the total tocopherol content in *Arabidopsis* seeds with the remaining 5% being composed of  $\delta$ -tocopherol. These simple tocopherol profiles make *Arabidopsis* seed and leaf tissue ideal targets for evaluating the functional consequences of altering the expression of a  $\gamma$ -tocopherol methyltransferase gene in plants.

We hypothesized that increasing the expression of a  $\gamma$ -tocopherol methyltransferase gene in *Arabidopsis* would increase  $\alpha$ -tocopherol levels as a proportion of the total tocopherols. To test this hypothesis, the full-length *Arabidopsis*  $\gamma$ -tocopherol methyltransferase cDNA clone 165H5T7 was over-expressed under the control of the strong constitutive cauliflower mosaic virus 35S transcript (CaMV 35S) promoter and the embryo-specific carrot DC3 promoter (Seffens WS et al., Dev. Genet. 11: 65-76,1990) in transgenic *Arabidopsis*.

The seed-specific plant gene expression plasmid was constructed from a derivative of the *Agrobacterium* plant transformation vector, pBIB-Hyg (Becker, D. Nucleic Acids Res.

18:203, 1990). The carrot embryo DC3 promoter was isolated from the plasmid pBS-DC3 5' PH after digestion with *Hind*III and *Bam*HI. The DC3 *Hind*III and *Bam*HI promoter fragment was then treated with DNA polymerase to fill in the 5' over-hanging ends. The pBIB-Hyg plasmid was digested with *Hind*III and then treated with DNA polymerase to fill-in the 5' over-hanging ends. The DC3 promoter fragment was ligated to pBIB-Hyg to create a plasmid designated p111397. The *Arabidopsis*  $\gamma$ -tocopherol methyltransferase cDNA 165H5T7 was subcloned in the sense orientation as a *Sal*I-*Xba*I fragment into the *Sal*I and *Xba*I sites of p111397 to obtain p122997. The p122997 plasmid has the following features: 1) plant hygromycin selectable marker; 2) *Agrobacterium* T-DNA left and right border sequences; 3) the *Arabidopsis* 165H5T7  $\gamma$ -tocopherol methyltransferase cDNA cloned between the carrot seed specific DC3 promoter and the nopoline synthase 3' transcriptional termination sequences; 4) the RK2 broad host bacterial plasmid origin of replication; and 5) bacterial kanamycin resistance selectable marker.

The constitutive *Arabidopsis*  $\gamma$ -tocopherol methyltransferase gene expression plasmid was derived from pSN506 CaMV 35S binary plant expression vector, a pART27 derivative in which the p-hydroxyphenol pyruvic acid dioxygenase (HPPDase) cDNA is under the control of the CaMV 35S promoter. (Norris and Della Penna, in press). The CaMV 35S/ $\gamma$ -tocopherol methyltransferase construct was made by replacing the HPPDase cDNA with the full length 165H5T7 cDNA sequence. The HPPDase cDNA fragment was removed from pSN506 by digesting the plasmid with *Xba*I and *Xho*I. The 5' DNA over-hanging ends of the pSN506 *Xba*I-*Xho*I vector fragment were filled in using the Klenow fragment of the *E. coli* DNA polymerase. The linearized vector was ligated to a blunt-ended *Xba*I-*Sal*I fragment from 165H5T7 encoding the full length  $\gamma$ -tocopherol methyltransferase. A recombinant plasmid containing the insert was obtained and designated p010398. The plasmid p010398 contains the following characteristics: 1) plant kanamycin selectable marker; 2) *agrobacterium* T-DNA left and right border sequences; 3) the *Arabidopsis* 165H5T7  $\gamma$ -tocopherol

methyltransferase cDNA cloned between the CaMV 35S promoter and the nopoline synthase 3' transcriptional termination sequences; 4) the RK2 broad host bacterial plasmid origin of replication; and 5) bacterial kanamycin resistance selectable marker.

5           The constitutive and seed specific  $\gamma$ -tocopherol methyltransferase plant gene expression constructs (p122997 and p010398) and the appropriate empty vector control vectors (pART27 and p111397) were used to transform *Agrobacterium tumefaciens* strain C58 GV3101. Wild type *Arabidopsis* (ecotype  
10   Columbia) plants were transformed with these *Agrobacterium* strains using the vacuum infiltration method (Bechtold N, Ellis J, Pelletier G, in planta *Agrobacterium* mediated gene transfer by infiltration of adult *Arabidopsis thaliana* plants. CR Acad Sci Paris, 1993. 1144(2): 204-212). Seeds from the primary  
15   transformants were selected for resistance to the appropriate antibiotic on medium containing MS salts, 1% sucrose, 0.7% agar, and suitable levels of the antibiotic. Antibiotic resistant seedlings (representing the T1 generation) were transferred to soil and grown to maturity. Leaf and seed  
20   material from these T1 generation plants were analyzed by HPLC.

**Example 9.           Characterization of Transgenic Plants.**

**A. Analysis of transgenic *Arabidopsis* Tocopherol Profiles**

Known weights of approximately 5 mg of plant material (i.e. seed or leaf) and 100 ng of tocol (for use as an internal  
25   standard) were homogenized in 300  $\mu$ l of 2:1 (V/V) methanol: CHCl<sub>3</sub>, containing 1 mg/ml butylated hydroxytolulene (BHT). One hundred  $\mu$ l of CHCl<sub>3</sub>, and 180  $\mu$ l of 0.9% (w/v) NaCl in water were added to the homogenate and the mixture was briefly vortexed. The mixture was then centrifuged and the lower (CHCl<sub>3</sub>) fraction  
30   was removed and transferred to a fresh tube. The CHCl<sub>3</sub> fraction was dried under vacuum and the resulting lipid residue was resuspended in 100  $\mu$ l of ethyl acetate for analysis by C18 reverse phase HPLC or in 100  $\mu$ l of hexane for analysis by normal phase HPLC.

Crude lipid extracts were analyzed by normal phase or reverse phase HPLC for changes in tocopherol profiles. Individual tocopherol species were quantified by comparing their fluorescence signals with standard curves made from known quantities of authentic tocopherol standards. Reverse phase HPLC was done as describe in example 4. Normal phase HPLC analysis was done on a Licosorb Si60A 4.6 X 250 mm HPLC column using the following conditions:  
Column temperature: 42°C

mobile phase: solvent A = HPLC grade hexane  
solvent B = diisopropylether

Gradient :	<u>time</u>	<u>%solvent A</u>	<u>% solvent B</u>	<u>flow rate</u>
<u>(ml/min)</u>				
	0	92%	8%	1
15	20	82%	18%	1
	25	82%	18%	1
	25	92%	8%	2
	34	92%	8%	2

#### Fluorescence Detector Settings:

excitation wavelength: 290 nm  
emmission wavelentgh: 325nm

The concentrations of the various tocopherol species obtained by HPLC analysis of T1 seed material from *Arabidopsis* plants transformed with p122997, p010398, p111398, pART27 are shown in Table 1. Plants over-expressing the  $\gamma$ -tocopherol methyltransferase using either the CaMV 35S or carrot DC3 promoters are able to convert the majority of the  $\gamma$ -tocopherol normally present in *Arabidopsis* seeds to  $\alpha$ -tocopherol and also are able to convert the majority of the  $\delta$ -tocopherol normally present in *Arabidopsis* seeds to  $\beta$ -tocopherol. These results show that  $\gamma$ -tocopherol methyltransferase activity is normally limiting in *Arabidopsis* seeds.

B. Analysis of  $\gamma$ -tocopherol methyltransferase activity in transgenic Arabidopsis seed

Seeds from the T1 generation plants transformed with p122997, p010398, p111397, and pART27 were assayed for  $\gamma$ -tocopherol methyltransferase activity. Protein extracts were made by homogenizing approximately 10 mg of seeds in 200  $\mu$ l of 50 mM Tris pH 8.5, 5 mM DTT, 1% Triton X 100, 1 mM PMSF. The extracts were centrifuged for 5 minutes to remove insoluble material. A 25- $\mu$ l aliquot of each extract supernatant was assayed for  $\gamma$ -tocopherol methyltransferase activity as described in example 7. No  $\gamma$ -tocopherol methyltransferase activity was detected in wild type seeds and empty vector controls. Activity in seed-specific lines was approximately 2 pmol/hr/mg protein, and in 35S constitutive expression lines activity was 0.5 pmol/hr/mg protein.

Example 11. Other Transgenic Plants.

Based on this data demonstrating that a simple insert of a  $\alpha$ -tocopherol methyl transferase gene into a plant can dramatically change the relative proportions of tocopherols in a plant seed, it becomes possible to reasonably suggest the similar results that can be obtained in other plant species.

It is expected that one may manipulate tocopherol profiles in any plant species using the methods disclosed in the examples. Based on the concentration of the various tocopherols in untransformed plant tissue, we have predicted tocopherol profiles obtainable for a variety of plant tissue (Table 2). Note that several common plant oils (e.g. soybean) which are predominantly  $\gamma$ -tocopherol and contain low levels of  $\alpha$ -tocopherol can be altered to be predominantly  $\alpha$ -tocopherol.

All publications cited in this patent application are incorporated by reference herein.

The present invention is not limited to the exemplified embodiment, but is intended to encompass all such modifications and variations as come within the scope of the following claims.

Table 1

	ng $\alpha$ -tocopherol/ mg seed (% total tocopherol)	ng $\beta$ -tocopherol/ mg seed (% total tocopherol)	ng $\gamma$ -tocopherol/ mg seed (% total tocopherol)	ng $\delta$ -tocopherol/ mg seed (% total tocopherol)	ng total- tocopherol/mg seed (% total tocopherol)
122997-1 (seed specific promoter/ Arabidopsis $\gamma$ -TMT)	523.28 $\pm$ 45.06 (88.91%)	23.91 $\pm$ 3.81 (4.06%)	41.38 $\pm$ 4.05 (7.03%)	ND (0%)	588.55 $\pm$ 48.02 (100%)
111397-2 (seed specific promoter /empty vector control)	ND (0%)	ND (0%)	409.16 $\pm$ 6.82 (95.11%)	17.81 $\pm$ 0.82 (4.89%)	430.19 $\pm$ 7.05 (100%)
010398-1 (constitutive promoter/ Arabidopsis $\gamma$ -TMT)	373.85 $\pm$ 15.25 (83.74%)	17.16 $\pm$ 0.87 (3.84%)	55.41 $\pm$ 5.12 (12.41%)	ND (0%)	446.43 $\pm$ 18.46 (100%)
ART27-1 (constitutive promoter/empty vector control)	ND (0%)	ND (0%)	409.99 $\pm$ 7.00 (96.41%)	15.41 $\pm$ 0.11 (3.62%)	425.28 $\pm$ 6.80 (88.91%)

ND= none detected  
All samples were analyzed in triplicate

Table 2

	Crop Species (tissue)	Tocopherol composition of untransformed plant	Expected tocopherol composition of transgenic plants with $\gamma$ -TMT over- expressed
5	Soybean <sup>1</sup> (seed/oil)	70% $\gamma$ -tocopherol 22% $\delta$ -tocopherol 7% $\alpha$ -tocopherol 1% $\beta$ -tocopherol	77% $\alpha$ -tocopherol 23% $\beta$ -tocopherol
	Oil Palm <sup>1</sup> (seed/oil)	25% $\alpha$ -tocopherol 30% $\alpha$ -tocotrienol 40% $\gamma$ -tocotrienol 5% $\delta$ -tocotrienol	25% $\alpha$ -tocopherol 70% $\alpha$ -tocotrienol 5% $\beta$ -tocotrienol
	Peanut <sup>2</sup> (raw nut)	50% $\alpha$ -tocopherol 50% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Peanut <sup>2</sup> (nut oil)	33% $\alpha$ -tocopherol 66% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Safflower <sup>2</sup> (seed oil)	48% $\alpha$ -tocopherol 22% $\gamma$ -tocopherol 30% $\delta$ -tocopherol	70% $\alpha$ -tocopherol 30% $\beta$ -tocopherol
10	Rapeseed <sup>2</sup> (seed oil)	25% $\alpha$ -tocopherol 75% $\delta$ -tocopherol	100% $\alpha$ -tocopherol
	Cotton Seed <sup>2</sup> (seed oil)	40% $\alpha$ -tocopherol 58% $\gamma$ -tocopherol 2% $\delta$ -tocopherol	98% $\alpha$ -tocopherol 2% $\beta$ -tocopherol
	Wheat <sup>2</sup> (whole wheat flour)	20% $\alpha$ -tocopherol 7% $\alpha$ -tocotrienol 17% $\beta$ -tocopherol 56% $\beta$ -tocotrienol	20% $\alpha$ -tocopherol 7% $\alpha$ -tocotrienol 17% $\beta$ -tocopherol 56% $\beta$ -tocotrienol
	Wheat <sup>1</sup> (germ oil)	75% $\alpha$ -tocopherol 25% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Corn <sup>1</sup> (oil)	22% $\alpha$ -tocopherol 68% $\gamma$ -tocopherol 3% $\beta$ -tocopherol 7% $\delta$ -tocopherol	90% $\alpha$ -tocopherol 10% $\beta$ -tocopherol
15	Castor Bean <sup>1</sup> (oil)	50% $\gamma$ -tocopherol 50% $\delta$ -tocopherol	50% $\alpha$ -tocopherol 50% $\beta$ -tocopherol
	Corn <sup>2</sup> (whole grain)	11% $\alpha$ -tocopherol 69% $\gamma$ -tocopherol 4% $\alpha$ -tocotrienol 9% $\gamma$ -tocotrienol 7% $\beta$ -tocotrienol	80% $\alpha$ -tocopherol 13% $\alpha$ -tocotrienol 7% $\beta$ -tocotrienol
	Barley <sup>2</sup> (whole grain)	14% $\alpha$ -tocopherol 2% $\gamma$ -tocopherol 10% $\beta$ -tocopherol 44% $\alpha$ -tocotrienol 7% $\gamma$ -tocotrienol 23% $\beta$ -tocotrienol	16% $\alpha$ -tocopherol 10% $\beta$ -tocopherol 51% $\alpha$ -tocotrienol 23% $\beta$ -tocotrienol
	Rice <sup>2</sup> (whole grain)	50% $\alpha$ -tocopherol 50% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Potato <sup>2</sup> (tuber)	95% $\alpha$ -tocopherol 5% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol

5	Sunflower <sup>2</sup> (seeds raw)	95% $\alpha$ -tocopherol 5% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Sunflower <sup>1</sup> (seed oil)	96% $\alpha$ -tocopherol 2% $\gamma$ -tocopherol 2% $\beta$ -tocopherol	98% $\alpha$ -tocopherol 2% $\beta$ -tocopherol
	Banana <sup>1</sup> (fruit)	100% $\alpha$ -tocopherol	100% $\alpha$ -tocopherol
	Lettuce <sup>1</sup> (leaf)	53% $\alpha$ -tocopherol 47% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Broccoli <sup>2</sup>	72% $\alpha$ -tocopherol 28% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
10	Cauliflower <sup>1</sup>	44% $\alpha$ -tocopherol 66% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Cabbage <sup>1</sup>	100% $\alpha$ -tocopherol	100% $\alpha$ -tocopherol
	Apple <sup>1</sup>	100% $\alpha$ -tocopherol	100% $\alpha$ -tocopherol
	Pears <sup>1</sup>	93% $\alpha$ -tocopherol 7% $\gamma$ -tocopherol	100% $\alpha$ -tocopherol
	Carrots <sup>2</sup>	94% $\alpha$ -tocopherol 4% $\gamma$ -tocopherol 2% $\delta$ -tocopherol	98% $\alpha$ -tocopherol 2% $\beta$ -tocopherol

<sup>1</sup>McLaughlin, P.J., Weihrauch, J.C. "Vitamin E content of foods", J. Am. Diet. Ass. 75:647-665 (1979).

<sup>2</sup>Bauernfeind, J. "Tocopherols in foods", In Vitamin E: A Comprehensive Treatise, L.J Machlin ed., Marcel Dekker, Inc. New York pp 99-168.



## CLAIMS

We claim:

1. An isolated DNA fragment comprising a  $\gamma$ -tocopherol methyltransferase coding sequence.
- 5        2. The DNA fragment of claim 1, wherein the fragment is selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:3.
3. An isolated DNA fragment comprising *Arabidopsis*  $\gamma$ -tocopherol methyltransferase.
- 10       4. An isolated DNA fragment comprising *Synechocystis*  $\gamma$ -tocopherol methyltransferase.
5. A genetic construct comprising a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a plant promoter not natively associated with the coding sequence.
- 15       6. A genetic construct as claimed in claim 5, wherein the  $\gamma$ -tocopherol methyltransferase coding sequence is selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:3.
7. A transgenic plant comprising in its genome the genetic construct of claim 5.
- 20       8. The plant of claim 5, wherein the plant has an altered  $\alpha$ -tocopherol: $\gamma$ -tocopherol ratio relative to an untransformed wild-type plant.
9. The seed of the plant of claim 8.
- 25       10. The plant of claim 5, wherein the plant has an altered  $\delta$ -tocopherol: $\beta$ -tocopherol ratio relative to an untransformed wild-type plant.

11. The seed of the plant of claim 10.

12. Oil from the seed of claim 11.

5 13. A transgenic plant of a species in which natively  $\alpha$ -tocopherol is not the predominant tocopherol in its seeds, the transgenic plant altered to produce  $\alpha$ -tocopherol as the most abundant tocopherol in the seeds of the plant.

14. Seeds of the plant of claim 13.

15. Oil from the seeds of claim 14.

10 16. A transgenic plant as claimed in claim 13 wherein the transgenic plant carries in its genome a foreign genetic construction comprising a  $\gamma$ -tocopherol methyltransferase gene selected from the group consisting of SEQ ID NO:1 and SEQ ID NO:3.

15 17. A transgenic plant which has an altered profile of tocopherols in its seeds or oils compared to non-transgenic plants of the same species.

18. Seed of the plant of claim 17.

19. Oil from the seeds of claim 18.

20 20. A transgenic plant seed of a plant species in which  $\alpha$ -tocopherol is natively not the predominant tocopherol in seeds, the transgenic plant seed containing  $\alpha$ -tocopherol as the most abundant tocopherol present in the transgenic plant seed.

21. Oil from the seed of claim 20.

22. A transgenic plant having an altered relative proportion of tocopherols in its tissues as compared to non-transgenic plants of the same species, the transgenic plant comprising in its genome an inserted  $\gamma$ -tocopherol methyltransferase coding sequence.

23. The plant of claim 22 wherein the  $\gamma$ -tocopherol methyltransferase is in the sense orientation.

24. The plant of claim 22 wherein the  $\gamma$ -tocopherol methyltransferase is in its antisense orientation.

25. A method of producing  $\alpha$ -tocopherol comprising the steps of:

(a) providing an expression host cell comprising in its genome a  $\gamma$ -tocopherol methyltransferase coding sequence operably connected to a promoter not natively associated with the sequence, wherein the promoter is functional in the host cell;

(b) culturing the host cell under conditions suitable to allow expression of the  $\gamma$ -tocopherol methyltransferase; and

(c) reacting  $\gamma$ -tocopherol and S-adenosylmethionine with the  $\gamma$ -tocopherol methyltransferase protein of step b under suitable conditions and for a period of time sufficient to allow conversion of  $\gamma$ -tocopherol to  $\alpha$ -tocopherol.

[illegible]

**FIG 1**

## SEQUENCE LISTING

## (1) GENERAL INFORMATION:

- (i) APPLICANT: DellaPenna, Dean  
Shintani, David K.
- 5 (ii) TITLE OF INVENTION: TRANSGENIC PLANTS WITH TOCOPHEROL  
METHYLTRANSFERASE
- (iii) NUMBER OF SEQUENCES: 10
- 10 (iv) CORRESPONDENCE ADDRESS:  
(A) ADDRESSEE: Quarles & Brady  
(B) STREET: 1 South Pinckney Street  
(C) CITY: Madison  
(D) STATE: WI  
15 (E) COUNTRY: US  
(F) ZIP: 53701-2113
- (v) COMPUTER READABLE FORM:  
(A) MEDIUM TYPE: Floppy disk  
(B) COMPUTER: IBM PC compatible  
20 (C) OPERATING SYSTEM: PC-DOS/MS-DOS  
(D) SOFTWARE: PatentIn Release #1.0, Version #1.30
- (vi) CURRENT APPLICATION DATA:  
(A) APPLICATION NUMBER: US  
(B) FILING DATE:  
(C) CLASSIFICATION:
- 25 (viii) ATTORNEY/AGENT INFORMATION:  
(A) NAME: Seay, Nicholas J.  
(B) REGISTRATION NUMBER: 27386  
(C) REFERENCE/DOCKET NUMBER: 920905.90024
- 30 (ix) TELECOMMUNICATION INFORMATION:  
(A) TELEPHONE: 608-251-5000  
(B) TELEFAX: 608-251-9166

## (2) INFORMATION FOR SEQ ID NO:1:

- 35 (i) SEQUENCE CHARACTERISTICS:  
(A) LENGTH: 954 base pairs  
(B) TYPE: nucleic acid  
(C) STRANDEDNESS: double  
(D) TOPOLOGY: linear
- (ii) MOLECULE TYPE: DNA (genomic)
- 40 (ix) FEATURE:  
(A) NAME/KEY: CDS  
(B) LOCATION: 1..954
- (xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:

45 ATG GTT TAC CAT GTT AGG CCT AAG CAC GCC CTG TTC TTA GCA TTC TAT 48  
Met Val Tyr His Val Arg Pro Lys His Ala Leu Phe Leu Ala Phe Tyr  
1 5 10 15

	TGT	TAT	TTC	TCT	TTG	CTT	ACC	ATG	GCC	AGC	GCC	ACC	ATT	GCC	AGT	GCA	96
	Cys	Tyr	Phe	Ser	Leu	Leu	Thr	Met	Ala	Ser	Ala	Thr	Ile	Ala	Ser	Ala	
				20					25					30			
5	GAC	CTC	TAC	GAA	AAA	ATT	AAA	AAT	TTC	TAC	GAC	GAC	TCC	AGC	GGT	CTC	144
	Asp	Leu	Tyr	Glu	Lys	Ile	Lys	Asn	Phe	Tyr	Asp	Asp	Ser	Ser	Gly	Leu	
			35					40					45				
	TGG	GAA	GAC	GTT	TGG	GGT	GAG	CAT	ATG	CAC	CAC	GGC	TAC	TAC	GGT	CCC	192
	Trp	Glu	Asp	Val	Trp	Gly	Glu	His	Met	His	His	Gly	Tyr	Tyr	Gly	Pro	
		50					55					60					
10	CAC	GGC	ACC	TAT	CGG	ATC	GAT	CGC	CGC	CAG	GCT	CAA	ATT	GAT	CTG	ATC	240
	His	Gly	Thr	Tyr	Arg	Ile	Asp	Arg	Arg	Gln	Ala	Gln	Ile	Asp	Leu	Ile	
		65				70				75						80	
	AAA	GAA	CTA	TTG	GCC	TGG	GCA	GTG	CCC	CAA	AAT	AGC	GCC	AAA	CCA	CGA	288
15	Lys	Glu	Leu	Leu	Ala	Trp	Ala	Val	Pro	Gln	Asn	Ser	Ala	Lys	Pro	Arg	
					85				90					95			
	AAA	ATT	CTC	GAT	TTA	GGC	TGT	GGC	ATT	GGC	GGC	AGT	AGT	TTG	TAC	TTG	336
	Lys	Ile	Leu	Asp	Leu	Gly	Cys	Gly	Ile	Gly	Gly	Ser	Ser	Leu	Tyr	Leu	
				100					105					110			
20	GCC	CAG	CAA	CAC	CAA	GCA	GAA	GTG	ATG	GGG	GCT	AGT	CTT	TCC	CCA	GTG	384
	Ala	Gln	Gln	His	Gln	Ala	Glu	Val	Met	Gly	Ala	Ser	Leu	Ser	Pro	Val	
			115					120					125				
	CAG	GTG	GAA	CGG	GCG	GGG	GAA	AGG	GCC	AGG	GCC	CTG	GGG	TTG	GGC	TCA	432
	Gln	Val	Glu	Arg	Ala	Gly	Glu	Arg	Ala	Arg	Ala	Leu	Gly	Leu	Gly	Ser	
		130				135						140					
25	ACC	TGC	CAG	TTT	CAG	GTG	GCC	AAT	GCC	TTG	GAT	TTG	CCC	TTT	GCT	TCC	480
	Thr	Cys	Gln	Phe	Gln	Val	Ala	Asn	Ala	Leu	Asp	Leu	Pro	Phe	Ala	Ser	
		145				150					155					160	
	GAT	TCC	TTT	GAC	TGG	GTT	TGG	TCG	TTG	GAA	AGT	GGG	GAG	CAC	ATG	CCC	528
30	Asp	Ser	Phe	Asp	Trp	Val	Trp	Ser	Leu	Glu	Ser	Gly	Glu	His	Met	Pro	
					165					170					175		
	AAC	AAA	GCT	CAG	TTT	TTA	CAA	GAA	GCT	TGG	CGG	GTA	CTT	AAA	CCA	GGT	576
	Asn	Lys	Ala	Gln	Phe	Leu	Gln	Glu	Ala	Trp	Arg	Val	Leu	Lys	Pro	Gly	
				180					185					190			
35	GGC	CGT	CTG	ATT	TTA	GCG	ACC	TGG	TGT	CAT	CGT	CCC	ATT	GAT	CCC	GGC	624
	Gly	Arg	Leu	Ile	Leu	Ala	Thr	Trp	Cys	His	Arg	Pro	Ile	Asp	Pro	Gly	
			195					200					205				
	AAT	GGC	CCC	CTG	ACT	GCC	GAT	GAA	CGT	CGC	CAT	CTC	CAA	GCC	ATC	TAT	672
	Asn	Gly	Pro	Leu	Thr	Ala	Asp	Glu	Arg	Arg	His	Leu	Gln	Ala	Ile	Tyr	
		210					215					220					
40	GAC	GTT	TAC	TGT	TTG	CCC	TAT	GTG	GTT	TCC	CTG	CCG	GAC	TAC	GAG	GCG	720
	Asp	Val	Tyr	Cys	Leu	Pro	Tyr	Val	Val	Ser	Leu	Pro	Asp	Tyr	Glu	Ala	
		225				230					235					240	
	ATC	GCC	AGG	GAA	TGT	GGG	TTT	GGG	GAA	ATT	AAG	ACT	GCC	GAT	TGG	TCA	768
45	Ile	Ala	Arg	Glu	Cys	Gly	Phe	Gly	Glu	Ile	Lys	Thr	Ala	Asp	Trp	Ser	
					245				250						255		
	GTG	GCG	GTG	GCA	CCT	TTT	TGG	GAC	CGG	GTG	ATT	GAG	TCT	GCG	TTC	GAT	816
	Val	Ala	Val	Ala	Pro	Phe	Trp	Asp	Arg	Val	Ile	Glu	Ser	Ala	Phe	Asp	
				260				265						270			
50	CCC	CGG	GTG	TTG	TGG	GCC	TTG	GGG	CAA	GCG	GGG	CCA	AAA	ATT	ATC	AAT	864
	Pro	Arg	Val	Leu	Trp	Ala	Leu	Gly	Gln	Ala	Gly	Pro	Lys	Ile	Ile	Asn	
			275					280					285				

GCC GCC CTG TGT TTA CGA TTA ATG AAA TGG GGC TAT GAA CGG GGA TTA 912  
 Ala Ala Leu Cys Leu Arg Leu Met Lys Trp Gly Tyr Glu Arg Gly Leu  
 290 295 300

GTG CGT TTT GGC TTA TTA ACG GGG ATA AAG CCT TTA GTT TGA 954  
 Val Arg Phe Gly Leu Leu Thr Gly Ile Lys Pro Leu Val \*  
 305 310 315

## (2) INFORMATION FOR SEQ ID NO:2:

## (i) SEQUENCE CHARACTERISTICS:

10

- (A) LENGTH: 318 amino acids  
 (B) TYPE: amino acid  
 (D) TOPOLOGY: linear

## (ii) MOLECULE TYPE: protein

## (xi) SEQUENCE DESCRIPTION: SEQ ID NO:2:

Met Val Tyr His Val Arg Pro Lys His Ala Leu Phe Leu Ala Phe Tyr 15  
 1 5 10 15

Cys Tyr Phe Ser Leu Leu Thr Met Ala Ser Ala Thr Ile Ala Ser Ala  
 20 25 30

Asp Leu Tyr Glu Lys Ile Lys Asn Phe Tyr Asp Asp Ser Ser Gly Leu  
 35 40 45

Trp Glu Asp Val Trp Gly Glu His Met His His Gly Tyr Tyr Gly Pro 20  
 50 55 60

His Gly Thr Tyr Arg Ile Asp Arg Arg Gln Ala Gln Ile Asp Leu Ile  
 65 70 75 80

Lys Glu Leu Leu Ala Trp Ala Val Pro Gln Asn Ser Ala Lys Pro Arg 25  
 85 90 95

Lys Ile Leu Asp Leu Gly Cys Gly Ile Gly Gly Ser Ser Leu Tyr Leu  
 100 105 110

Ala Gln Gln His Gln Ala Glu Val Met Gly Ala Ser Leu Ser Pro Val  
 115 120 125

Gln Val Glu Arg Ala Gly Glu Arg Ala Arg Ala Leu Gly Leu Gly Ser 30  
 130 135 140

Thr Cys Gln Phe Gln Val Ala Asn Ala Leu Asp Leu Pro Phe Ala Ser  
 145 150 155 160

Asp Ser Phe Asp Trp Val Trp Ser Leu Glu Ser Gly Glu His Met Pro 35  
 165 170 175

Asn Lys Ala Gln Phe Leu Gln Glu Ala Trp Arg Val Leu Lys Pro Gly  
 180 185 190

Gly Arg Leu Ile Leu Ala Thr Trp Cys His Arg Pro Ile Asp Pro Gly  
 195 200 205

Asn Gly Pro Leu Thr Ala Asp Glu Arg Arg His Leu Gln Ala Ile Tyr 40  
 210 215 220

Asp Val Tyr Cys Leu Pro Tyr Val Val Ser Leu Pro Asp Tyr Glu Ala  
 225 230 235 240

Ile Ala Arg Glu Cys Gly Phe Gly Glu Ile Lys Thr Ala Asp Trp Ser 45  
 245 250 255

5

10

- 15

- 20

25

30

35

40

45

ATC CGT ATG ATT GAA GAG TCT CTC CGT TTC GCC GGT GTT ACT GAT GAA 569  
Ile Arg Met Ile Glu Glu Ser Leu Arg Phe Ala Gly Val Thr Asp Glu  
425 430 435



	GAG GAG GAG AAA AAG ATA AAG AAA GTA GTG GAT GTT GGG TGT GGG ATT	617
	Glu Glu Glu Lys Lys Ile Lys Lys Val Val Asp Val Gly Cys Gly Ile	
	440 445 450 455	
5	GGA GGA AGC TCA AGA TAT CTT GCC TCT AAA TTT GGA GCT GAA TGC ATT	665
	Gly Gly Ser Ser Arg Tyr Leu Ala Ser Lys Phe Gly Ala Glu Cys Ile	
	460 465 470	
	GGC ATT ACT CTC AGC CCT GTT CAG GCC AAG AGA GCC AAT GAT CTC GCG	713
	Gly Ile Thr Leu Ser Pro Val Gln Ala Lys Arg Ala Asn Asp Leu Ala	
	475 480 485	
10	GCT GCT CAA TCA CTC TCT CAT AAG GCT TCC TTC CAA GTT GCG GAT GCG	761
	Ala Ala Gln Ser Leu Ser His Lys Ala Ser Phe Gln Val Ala Asp Ala	
	490 495 500	
15	TTG GAT CAG CCA TTC GAA GAT GGA AAA TTC GAT CTA GTG TGG TCG ATG	809
	Leu Asp Gln Pro Phe Glu Asp Gly Lys Phe Asp Leu Val Trp Ser Met	
	505 510 515	
	GAG AGT GGT GAG CAT ATG CCT GAC AAG GCC AAG TTT GTA AAA GAG TTG	857
	Glu Ser Gly Glu His Met Pro Asp Lys Ala Lys Phe Val Lys Glu Leu	
	520 525 530 535	
20	GTA CGT GTG GCG GCT CCA GGA GGT AGG ATA ATA ATA GTG ACA TGG TGC	905
	Val Arg Val Ala Ala Pro Gly Gly Arg Ile Ile Ile Val Thr Trp Cys	
	540 545 550	
	CAT AGA AAT CTA TCT GCG GGG GAG GAA GCT TTG CAG CCG TGG GAG CAA	953
	His Arg Asn Leu Ser Ala Gly Glu Glu Ala Leu Gln Pro Trp Glu Gln	
	555 560 565	
25	AAC ATC TTG GAC AAA ATC TGT AAG ACG TTC TAT CTC CCG GCT TGG TGC	1001
	Asn Ile Leu Asp Lys Ile Cys Lys Thr Phe Tyr Leu Pro Ala Trp Cys	
	570 575 580	
30	TCC ACC GAT GAT TAT GTC AAC TTG CTT CAA TCC CAT TCT CTC CAG GAT	1049
	Ser Thr Asp Asp Tyr Val Asn Leu Leu Gln Ser His Ser Leu Gln Asp	
	585 590 595	
	ATT AAG TGT GCG GAT TGG TCA GAG AAC GTA GCT CCT TTC TGG CCT GCG	1097
	Ile Lys Cys Ala Asp Trp Ser Glu Asn Val Ala Pro Phe Trp Pro Ala	
	600 605 610 615	
35	GTT ATA CGG ACT GCA TTA ACA TGG AAG GGC CTT GTG TCT CTG CTT CGT	1145
	Val Ile Arg Thr Ala Leu Thr Trp Lys Gly Leu Val Ser Leu Leu Arg	
	620 625 630	
	AGT GGT ATG AAA AGT ATT AAA GGA GCA TTG ACA ATG CCA TTG ATG ATT	1193
	Ser Gly Met Lys Ser Ile Lys Gly Ala Leu Thr Met Pro Leu Met Ile	
	635 640 645	
40	GAA GGT TAC AAG AAA GGT GTC ATT AAG TTT GGT ATC ATC ACT TGC CAG	1241
	Glu Gly Tyr Lys Lys Gly Val Ile Lys Phe Gly Ile Ile Thr Cys Gln	
	650 655 660	
45	AAG CCA CTC TAA GTCTAAAGCT ATACTAGGAG ATTCAATAAG ACTATAAGAG	1293
	Lys Pro Leu *	
	665	
	TAGTGTCTCA TGTGAAAGCA TGAAATTCCT TAAAAACGTC AATGTTAAGC CTATGCTTCG	1353
	TTATTTGTTT TAGATAAGTA TCATTTCACT CTTGTCTAAG GTAGTTTCTA TAAACAATAA	1413
	ATACCATGAA TTAGCTCATG TTATCTGGTA AATTCTCGGA AGTGATTGTC ATGGATTAAC	1473
	TCAAAAAAAAA AAAAAAAAAA AGGGCGGCCG CTCTAGAGGA TCCAAGCTTA CGTACGCGTG	1533

CATGCGACGT CATAAGTCTA TCATACCGTC GACCTCGAGG GGGGCCCTAA ATTCAATTCA 1593  
 CTGGCCGTCG TTTTACAACG TCGTGACTGG GAAAACCCTG GCGTTACCCA ACTTAATCGC 1653  
 CTTGCAGCAC ATCCCCCTTT CGCCAGCTGG CGTAATAGCG AAGAGGCCCG CACCGATCGC 1713  
 CCTTCCCAAC AGTTGCGCAG CCTGAATGGC GAATGGGACG CGCCCTGTAG CGGCGCATTA 1773  
 5 AGCGCGGCGG GTGTGGT 1790

## (2) INFORMATION FOR SEQ ID NO:4:

## (i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 349 amino acids  
 (B) TYPE: amino acid  
 (D) TOPOLOGY: linear

## (ii) MOLECULE TYPE: protein

## (xi) SEQUENCE DESCRIPTION: SEQ ID NO:4:

Met Lys Ala Thr Leu Ala Ala Pro Ser Ser Leu Thr Ser Leu Pro Tyr  
 1 5 10 15  
 15 Arg Thr Asn Ser Ser Phe Gly Ser Lys Ser Ser Leu Leu Phe Arg Ser  
 20 25 30  
 Pro Ser Ser Ser Ser Ser Val Ser Met Thr Thr Thr Arg Gly Asn Val  
 35 40 45  
 20 Ala Val Ala Ala Ala Ala Thr Ser Thr Glu Ala Leu Arg Lys Gly Ile  
 50 55 60  
 Ala Glu Phe Tyr Asn Glu Thr Ser Gly Leu Trp Glu Glu Ile Trp Gly  
 65 70 75 80  
 Asp His Met His His Gly Phe Tyr Asp Pro Asp Ser Ser Val Gln Leu  
 85 90 95  
 25 Ser Asp Ser Gly His Lys Glu Ala Gln Ile Arg Met Ile Glu Glu Ser  
 100 105 110  
 Leu Arg Phe Ala Gly Val Thr Asp Glu Glu Glu Glu Lys Lys Ile Lys  
 115 120 125  
 30 Lys Val Val Asp Val Gly Cys Gly Ile Gly Gly Ser Ser Arg Tyr Leu  
 130 135 140  
 Ala Ser Lys Phe Gly Ala Glu Cys Ile Gly Ile Thr Leu Ser Pro Val  
 145 150 155 160  
 Gln Ala Lys Arg Ala Asn Asp Leu Ala Ala Ala Gln Ser Leu Ser His  
 165 170 175  
 35 Lys Ala Ser Phe Gln Val Ala Asp Ala Leu Asp Gln Pro Phe Glu Asp  
 180 185 190  
 Gly Lys Phe Asp Leu Val Trp Ser Met Glu Ser Gly Glu His Met Pro  
 195 200 205  
 40 Asp Lys Ala Lys Phe Val Lys Glu Leu Val Arg Val Ala Ala Pro Gly  
 210 215 220  
 Gly Arg Ile Ile Ile Val Thr Trp Cys His Arg Asn Leu Ser Ala Gly  
 225 230 235 240

	Glu	Glu	Ala	Leu	Gln	Pro	Trp	Glu	Gln	Asn	Ile	Leu	Asp	Lys	Ile	Cys
					245					250					255	
	Lys	Thr	Phe	Tyr	Leu	Pro	Ala	Trp	Cys	Ser	Thr	Asp	Asp	Tyr	Val	Asn
				260					265					270		
5	Leu	Leu	Gln	Ser	His	Ser	Leu	Gln	Asp	Ile	Lys	Cys	Ala	Asp	Trp	Ser
			275					280					285			
	Glu	Asn	Val	Ala	Pro	Phe	Trp	Pro	Ala	Val	Ile	Arg	Thr	Ala	Leu	Thr
	290						295					300				
	Trp	Lys	Gly	Leu	Val	Ser	Leu	Leu	Arg	Ser	Gly	Met	Lys	Ser	Ile	Lys
10	305					310					315					320
	Gly	Ala	Leu	Thr	Met	Pro	Leu	Met	Ile	Glu	Gly	Tyr	Lys	Lys	Gly	Val
					325					330					335	
	Ile	Lys	Phe	Gly	Ile	Ile	Thr	Cys	Gln	Lys	Pro	Leu	*			
				340					345							

15 (2) INFORMATION FOR SEQ ID NO:5:

(i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 35 base pairs

(B) TYPE: nucleic acid

(C) STRANDEDNESS: single

(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

(A) DESCRIPTION: /desc = "oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:5:

ACGGATCCAA AAATGCCTAT GGTTCATCAT CGGGG

25 (2) INFORMATION FOR SEQ ID NO:6:

(i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 35 base pairs

(B) TYPE: nucleic acid

(C) STRANDEDNESS: single

(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

(A) DESCRIPTION: /desc = "Oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:6:

GGGGATCCTG TGGACTTCAA ACTAAAGGCT TTATC

35 (2) INFORMATION FOR SEQ ID NO:7:

(i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 24 base pairs

(B) TYPE: nucleic acid

(C) STRANDEDNESS: single

(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

(A) DESCRIPTION: /desc = "Oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:7:

CCTCATGATT TACCATGTGA GGCC

24

(2) INFORMATION FOR SEQ ID NO:8:

(i) SEQUENCE CHARACTERISTICS:

- 5 (A) LENGTH: 24 base pairs  
(B) TYPE: nucleic acid  
(C) STRANDEDNESS: single  
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

- 10 (A) DESCRIPTION: /desc = "Oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:8:

AGATCTCAAA CTAAAGGCTT TATC

24

(2) INFORMATION FOR SEQ ID NO:9:

(i) SEQUENCE CHARACTERISTICS:

- 15 (A) LENGTH: 24 base pairs  
(B) TYPE: nucleic acid  
(C) STRANDEDNESS: single  
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

- 20 (A) DESCRIPTION: /desc = "Oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:9:

CCATGCTGTG GCGGCTGCTG CTAC

24

(2) INFORMATION FOR SEQ ID NO:10:

(i) SEQUENCE CHARACTERISTICS:

- 25 (A) LENGTH: 24 base pairs  
(B) TYPE: nucleic acid  
(C) STRANDEDNESS: single  
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: other nucleic acid

- 30 (A) DESCRIPTION: /desc = "Oligonucleotide"

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:10:

GTGACGCAT GCACGCGTAC GTAA

24

QBMAD\162725

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US98/15137

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(6) :A01H 5/00, 5/10; C07H 21/04; C12N 5/04, 15/63, 15/82

US CL :435/320.1; 536/23.6; 800/298

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/320.1; 536/23.6; 800/298

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Please See Extra Sheet.

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	SHIGEOKA et al. Isolation and Properties of $\gamma$ -Tocopherol Methyltransferase in <i>Euglena gracilis</i> . <i>Biochimica et Biophysica Acta</i> . 1992, Vol. 1128, No. 2-3, pages 220-226, see entire document.	1-11
A	ISHIKO et al. Some Properties of $\gamma$ -Tocopherol Methyltransferase Solubilized from Spinach Chloroplasts. <i>Phytochemistry</i> . May 1992, Vol. 31, No. 5, pages 1499-1500, see entire document.	1-11

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
*A* document defining the general state of the art which is not considered to be of particular relevance	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
*B* earlier document published on or after the international filing date	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
*L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*G* document member of the same patent family
*O* document referring to an oral disclosure, use, exhibition or other means	
*P* document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

28 OCTOBER 1998

Date of mailing of the international search report

12 NOV 1998

Name and mailing address of the ISA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

THANDA WAI

Telephone No. (703) 308-0196

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US98/15137

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	D'HARLINGUE et al. Plastid Enzymes of Terpenoid Biosynthesis: Purification and Characterization of $\gamma$ -Tocopherol Methyltransferase From Capsicum Chromoplasts. Journal of Biological Chemistry. 05 December 1985, Vol. 260, No. 28, pages 15200-15203, see entire document.	1-11
A	MICHALOWSKI et al. Preliminary Characterization of S-Adenosylmethionine: Tocopherol Methyltransferase from Chloroplasts of Calendula officinalis Seedlings. Acta Biochimica Polonica. 1993, Vol. 40, No. 1, page 116-119, see entire document.	1-11
A	CAMARA et al. Enzymological Characterization of S-Adenosylmethionine $\gamma$ -Tocopherol Methyltransferase From Capsicum Chromoplasts. Plant Physiology. April 1985, Vol. 77, No. 4, page 48, abstract number 257, see abstract.	1-11
A	SOLL et al. Localization and Synthesis of Prenylquinones in Isolated Outer and Inner Envelope Membranes from Spinach Chloroplasts. Archives of Biochemistry and Biophysics. April 1985, Vol. 238, No. 1, pages 290-299, see entire document.	1-11

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US98/15137

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

Please See Extra Sheet.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:  
1-11

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.  
☐ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US98/15137

### B. FIELDS SEARCHED

Electronic data bases consulted (Name of data base and where practicable terms used):

APS, AGRICOLA, BIOSIS, EMBASE, WPIDS

search terms: tocopherol, methyltransferase#, methyl transferase#

### BOX II. OBSERVATIONS WHERE UNITY OF INVENTION WAS LACKING

This ISA found multiple inventions as follows:

This application contains the following inventions or groups of inventions which are not so linked as to form a single inventive concept under PCT Rule 13.1. I

Group I, claims 1-11, drawn to an isolated DNA fragment comprising a gamma-tocopherol methyltransferase coding sequence, constructs comprising the DNA fragment, transgenic plants comprising the construct, and seeds from the plant, the first product, method of making, and method of using.

Group II, claim 12, drawn to oil from the seed of claim 11, the second product.

Group III, claims 13-14, drawn to transgenic plants altered to produce alpha-tocopherol as the most abundant tocopherol in the seeds of the plant and to seeds of the plant, the third product.

Group IV, claim 15, drawn to oil from the seeds of claim 14, the fourth product.

Group V, claims 16-18, drawn to transgenic plants carrying in its genome a foreign genetic construction comprising a gamma-tocopherol methyltransferase gene identified by SEQ ID NO:1 or SEQ ID NO:3, the fifth product.

Group VI, claim 19, drawn to oil from the seeds of claim 18, the sixth product.

Group VII, claim 20, drawn to transgenic plant seed containing alpha-tocopherol as the most abundant tocopherol present in the transgenic plant seed, the seventh product.

Group VIII, claim 21, drawn to oil from the seed of claim 20, the eight product.

Group IX, claims 22-24, drawn to transgenic plants having altered levels of tocopherols in its tissues, the plant comprising in its genome an inserted gamma-tocopherol methyltransferase coding sequence, the ninth product.

Group X, claim 25, drawn to a method of producing alpha-tocopherol by expressing a gamma-tocopherol methyltransferase coding sequence and reacting the product to produce alpha-tocopherol, the second method of using the first product.

The inventions listed as Groups I-X do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the products of Groups I-IX are distinct. The method of Group X is a second method of utilizing the product of Group I. PCT rule 13 does not provide for multiple products or multiple methods of using within a single application (37 CFR 1.475(d)).